

Hundreds of H-2 workers to leave this week

By John O'Connor
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Over 380 H-2B workers under Core Tech International Corp. are expected to leave Guam by the middle of this week. The departure marks one of the largest from a single employer since complications with H-2B visa extensions and applications began earlier this year. The amount is also more than a quarter of the remaining 1,263 workers on the ground counted as of July. Greg Massey, administrator of the Guam Department of Labor's Alien Labor Processing and Certification Division, has stated that by year's end, the number of H-2 workers may dwindle below 100 individuals as visas naturally expire.

On the night of Sept. 1, Core Tech gathered its H-2 workers at the dining hall of a housing complex located in Okkodo. Ho Eun, the president of the company, and other officers spoke briefly to the workers about the circumstances of their departure before the room erupted into a mass of noise as hundreds of bodies attempted to complete various forms and speak to management about the possibility of returning.

Almost no visa petitions approved

Since December 2015, there have been virtually zero H-2B visa petition approvals from the U.S. Citizenship and Immigration Service - an anomaly for Guam, which is both exempt from the annual national cap for H-2 workers and has had approval rates nearing 100 percent in the past. The local Labor Department, along with Guam Delegate Madeleine Bordallo and the Office of the Governor, have reached out to various federal entities for an explanation and solution to the current situation.

Governor Eddie Calvo even submitted a letter to President Barack Obama in June warning of the potential impact visa denials will have on both military and local infrastructure projects.

USCIS has been consistent in its statement that there has been no change in the way its adjudicators process petitions and applications. Likewise, there has been little difference in petitions and submitted evidence of temporary need by Guam employers, according to the federal office.

Massey, on the other hand, has said



TEMPORARY WORKERS: Ho S. Eun, founder and president of Core Tech International Corp., speaks to a group of H-2B workers who are expected to leave Guam by the middle of this week, during a briefing at the dining hall of a housing complex in Okkodo on Sep. 1. John O'Connor/Post

that the threshold for demonstrating temporary need seems to have been set unusually high recently.

To gain successful approval, an employer must prove that there is temporary need for a worker. USCIS guidelines show that temporary need can be established in four bases: a one-time occurrence, a seasonal need, a peak-load need and intermittent need. Except in cases of one-time occurrence, where temporary employment can last for three years, the maximum period of need should be one year or less.

"If employers have been relying on the H-2B program for long-term, year round workers, it may raise concerns that their petitions do not fit within the regulatory definition of 'temporary need,'" a USCIS representative told the Post.

"Some Guam employers have claimed two main factors driving the unpredictable, temporary nature of employment: the U.S. military buildup and international tourism. However, in some cases, such requests have claimed temporary need beyond a three-year period - and sometimes as much as 10 years."

The ongoing military buildup has become a driving force for increasing temporary labor on Guam. Quarterly temporary labor certification statistics from 2012 to 2015 show consistent need for carpenters, electricians and other construction professions year

over year within the same companies. Within that three-year period, the average yearly number of H-2 workers on Guam rose from 1,033 in 2012 to 1,486 in 2015, although numbers have fluctuated in the past.

As stated in the governor's letter to the president, temporary workers also

fuel local capital-improvement projects required for agencies, such as the Guam Waterworks Authority, to meet federal mandates.

Vice speaker: More local hires

But also in the catalog of desired workers are anything from bakers to massage therapists. Vice Speaker Benjamin Cruz, in the past, called attention to jobs being offered to temporary workers - jobs that could seemingly be filled by local hires. A series of laws regulating the temporary worker program were enacted in 2011 under his watch and in 2012, Cruz penned a letter to Calvo about the lack of work being offered by the Navy to the Guam Shipyard.

"I do not buy the notion that there are no skilled laborers on Guam or in the United States to accommodate the needs of the Guam Shipyard. Perhaps if the Guam Shipyard would simply offer better wages it wouldn't have such a difficult time recruiting skilled workers. The same should apply to any other business contemplating hiring foreign H-2B labor," the vice speaker stated.

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Church protesters: 'It's not over yet'

By Neil Pang
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More than 80 individuals gathered outside the Dulce Nombre de Maria Cathedral-Basilica in Hagåtña yesterday, Sept. 4. The gathered crowd comprised members of the Concerned Catholics of Guam (CCOG), Laity Forward Movement (LFM) and Silent No More.

Members of the three organizations routinely gather to hold protests airing their grievances with church authority – primarily in calling for the defrocking of Archbishop Anthony Apuron, who has been accused of child sex abuse during his time as pastor of the Agana parish in the 1970s.

Lou Klitzke, a member of LFM, told the Post that protester turnout has been steadily increasing over the past few weeks.

"Everybody keeps coming out," she said. "We have a very dedicated group of people."

After the protest, picketers gathered for the after-protest breakdown and

announcements for the week to come.

"It's not over yet," Klitzke told the crowd.

Rising attendance at protests

Attendance at the weekly church protests has been consistent since they started in June of this year.

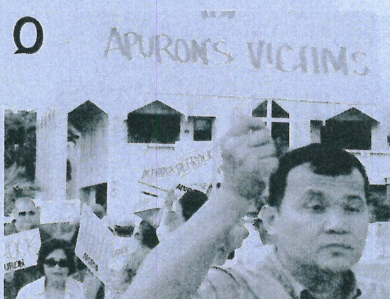
Andrew Camacho, vice president of CCOG, was present and told the Post that, as far as possible litigation is concerned, CCOG was still considering legal counsel to represent them in court.

Also present at yesterday's protests were Tim Rohr and Roy Quintanilla.

Quintanilla is one of three

individuals that came out earlier this year accusing Apuron of child sex abuse crimes and is currently filing a libel and slander lawsuit against Apuron in light of comments Apuron made questioning the integrity of Quintanilla and his fellow victims.

Rohr was named by archdioc-



PROTEST: Roy Quintanilla, one of the first three individuals to come forward and disclose details of sexual abuse at the hands of Archbishop Anthony Apuron while an altar boy at the Agat parish, advocates justice for Apuron's victims during a protest in front of the Dulce Nombre de Maria Cathedral Basilica in Hagåtña on Sunday, Sept. 4. Neil Pang/Post

esan officials in connection to a real estate scheme from which he would benefit. Rohr also runs a local blog that documents the disputes surrounding the Catholic Church.

'We should be able to see'

Klitzke also told the Post about plans to visit the Redemptoris Mater Seminary in Yona to tour the facilities to see what their contributions to the Archdiocesan Annual Appeal (AA) actually go toward.

"If, like Archbishop Hon said, the seminary is owned by the Archdiocese (of Agana), then we as Catholics should be able to see," she said.

Archbishop Savio Hon Tai Fai, apostolic administrator of the Archdiocese of Agana, has repeatedly released statements reiterating the archdiocese's vehement claim to the Yona property, but requesting that those benefiting from a deed restriction placed on the property by Apuron voluntarily repeal the restriction without litigation.

RMS leadership have yet to respond, but Apuron who, as archbishop, controls sole ownership, has stated that not only is he the only one that can lift the restriction, but that he will not do so.

Hon, who is currently off-island attending to official Vatican business, was unavailable for further comment regarding the priest appointments announced last week. One of the appointments was of Mon. David Quitugua to the post of Acting-Rector of RMS.



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The actual job requirements of temporary cooks, bakers and even hostesses require some manner of specialty, according to GDOL, no matter how easy it may seem to fill the position.

"The cooks being brought in are not just short order cooks flipping burgers. These are Specialty Cooks in specific cuisines like Filipino, Thai or Japanese styles," a spokesman from the department stated. "Additionally, many of the jobs for which H-2B workers are being imported are jobs which US workers typically do not want to do or for which there is a definite lack of skilled workers. In 100 percent of the cases, the job opportunity is open and available for U.S. applicants who qualify for the job."

The Labor Department also maintains, just as the governor did in his letter to the president, that Guam's isolated location and wage discrepancies makes it difficult to attract U.S. workers from overseas to fill the gap in the local skilled workforce.

Effect on smaller companies

The current situation is becoming problematic for smaller to mid-size construction companies, which may have relied on H-2B hires to compete with larger companies like Core Tech. Officials in the construction industry have suggested an imped-

ing shift in the labor market, where companies increasingly compete for local talent to work on non-military projects.

Meanwhile, a provision in the House version fiscal year 2017 National Defense Authorization Act makes its way to the reconciliation process with the Senate. If enacted, the provision could provide relief next year to contractors working on military projects.

During the briefing last week, temporary workers for Core Tech seemed unfazed by the news that they would be leaving, having already seen similar circumstances for workers in other companies. Nearly all 80 temporary workers for Watts Constructors LLC staying in the same housing compound have already departed.

Marlon Valencia, an H-2B worker for Core Tech, said he would try to find work in the Philippines but he is fortunate to have already saved a good sum of money and to have had all three of his children finish school. He said he would return if there was an opening next year.

'We're going to return'

In the frenzy Thursday night, Ramon Collera, the safety manager overseeing Core Tech workers, stood on top of a chair and called for attention.

"What's happening is temporary," Collera said in Tagalog. "We're going to return ... The projects that we're leaving behind, you'll be the ones to finish them."

IN LOVING MEMORY

Fe de Rosas Caraig

APRIL 15, 1955- AUGUST 25, 2016

In her eternal life, Fe will be welcomed by:
Parents: Jeremias Ramira Caraig and Preciosa Coching de Rosas Caraig

Fe's memories and devoted kindheartedness will be missed and remembered forever in the hearts of her Children: Ralph Alexander O'connor, Christopher Lyndon O'connor, Melanie Grace Harris, Darryl Michael Harris Jr, Darnell Nathan Harris

Grand Children: Ralph Alexander Fajerang, Lauryn Alexandra Fajerang, Isaiiah Malakai Uncangco, Siblings: Ridgeway de Rosas Caraig, Walter Vernon Caraig and Sister-in-law: Yoshika Caraig, and Daughter-in-Law: Liza Tenorio Uncangco, Richonne Venesia Roberto Luzanta, Lias Mariah Bonilla

She will also be missed by numerous relatives and close friends.

Last respects for Fe before cremation may be paid on Monday September 5, 2016 at Agana Heights Seventh-Day Adventist Church from 9:00am-11:30am.

Kindly join us in prayer.

